the President's Political Activity.

"I believe Mr. Taft will be elected.
At the same time I think it will be by
a much reduced majority from that
given Roosevelt."

OLD PUTNAM HOUSE TO GO.

Habitat of Coffee and Sinkers.

following the example of the Everett

STOKES COMPLAINS OF COP.

Parlor Socialist Charges That No. 6849

Broke Up a Meeting.

district, complained to Commissioner

Bingham yesterday that a policeman of

Trial of the Suit.

Katherine Clemmons Gould against How-

The examination had been set for ver

Motion.

Referee Whittaker will begin the examination of Mr. and Miss Sells this

VEXING DAVY JOHNSON.

He Balks at Some Questions About His

Place in Thirty-third Street.

David Johnson, the gambler, who

balked last week at answering questions

about his house in West Thirty-third

street because he said he wanted to think

Husband Won by the Razor Lost.

Movements of Naval Vessels.

The cruiser Chester has sailed from Boston for Provincetown, the torpedo boat Rodgers from Norfolk for Charleston

Army and Navy Orders.

tank Arethusa at Magdalena Bay.

ard Gould.

afternoon.

return to-day.

The old Putnam House on Fourth ave-

ing politics to-day he said:

"Greatness Appealing to the Confidence of traophistication," Morse's Lawyer (ross-Examines Sharply in an A. I would, Effort to Throw Back the Blame.

A'fred M. Curtis, codefendant with Charles W. Morse in the suit the Government is prosecuting against them for mismanagement of the Nat onal Bank of North America, sustained yesterday the ordeal of six hours on the witness stand and faces the prospect of continuing in the chair te-day. Even from the most ortimistic dewpoint he could scarcely be said to have made a "star witness either for rimself or for Mr. Morse. He did appear as a most willing witness, and the breach foreshadowed on Tuesday between the two defendants became more marked as Curto gave testimony calculated to shift as much as possible of the blame for the bank conditions onto Morse and as the cross-examination of the witness by Morse's counsel, Mr.

Curtis in his direct testimony told of a letter of warning he had written to Morse WON'T ACCUSE U. S. OF MURDER. in June, 1907, relating to the condition of the bank brought about by Morse's loans, lummy and otherwise. This letter did not appear to be pleasant reading for Morse and his counsel, who pored over the manuscript together. In this letter Curtis showed deep solicitude over the over Morse's loans, though appearing in the Andersonville prison keeper.

other names. bank's noney for interest on those loans. as follows: He also appeared puzzled to explain how it was hat if he regarded the Ice stock collateral which Director Havemeyer wanted to sell out as Morse's stock he had not said so when Mr. Havemeyer spoke of selling it out as though it belonged to the bank, and why he at that time wrote to Morse in Paris of Havemeyer's action at a directors' meeting and referred to this Ice stock as "our

Curtis said that he thought the Ice holdings of Morse "none of Mr. Have-meyer's susiness," so he had not explained meyer's pusiness, so he had not explained. meyer's susiness," so he had not explained to the directors' meeting about them. As to piving out the bank's money, he said helthought it a "fair standoff" in view of the profits Morse had turned in to the bank on other speculations. He acknowledged that he knew a bank officer held a position of trust as to the fundaheld a position of trust as to the funds confided to the care of the bank, but he still rigarded it as proper to make the payments out of the bank's funds which he had so made.

Aithgether Mr. Curtis on the witness cand gave striking point in his story.

stand gave striking point in his story of his relations with Morse to an expression hat was used yesterday characterizing this relationship as "greatness appealing to the confidence of unsophistication."

Moise smiled grimly when Curtis, speaking of the \$180,000 Whiting loan against which Assistant Cashier Rado had protested to Curtis, said that he told Rado hat it was "the Little Man's" loan, meaning by "the Little Man" Morse. Curtis also testified to having told Morse that there was "too much Ice in the bank."

Coning to his letter of warning to Morse written June 11, 1907, a wholly new piece of evidence heretofore unhinted at by either side and which seemed to be news to the prosecution, Mr. Curtis said that he had been anxious about the bank and the tight money which threatened and that he had talked to Morse, Barney, Oakleigh Thorne and Justice O'Brien about metters. They promised him help, but provises did not solace him, and he had therefore written a letter to Morse. First, however, he had shown the letter to J. H Flagler, the senior director, and Mr. Flagler had said to him:

"You'are a younger man than I. Take my advice. Show that letter to Mr. Morse and show it to nobody else. He is a veryrich and resourceful man, and he will dubtless correct matters."

Curis said that in the evening, going up town with Mr. Morse in Mr. Morse's autompbile, he had shown the letter to Morse who read it twice and returned it he had been anxious about the bank

Morse who read it twice and returned it

In the letter Mr. Curtis told Morse that since the reduction of nearly \$1,000,000 in the average balance of the Trust Company the awrage balance of the Trust Company of Amrica he had worreid over the situation of the bank and realized that it would be anothing but safe with Morse and all the oher directors away, as they would be in two weeks. He spoke of loans out which the bank could not quickly collect and is mentioned those of Wesley M. Oler, ohn Elliot, C. W. Wilder, the Butterick company, the American Ice Company and a \$2,000,000 loan to E. R. and O. F. Thoms. "The fact," he said, "that we had a strong reserve, which has always been a good reply to the Comptroller's criticism, will no longer serve us as an an excuse. You alone can correct the presexcuse. You alone can correct the present condtion. The directors themselves

owe \$1,12,000."

That right Morse, Curtis and Wire went over the loans and Morse arranged a way to get ir \$1,000,000 by calling some of them. Also the Thomas loans were paid. Curtis said that not one of the loans objected to by the Comptroller in the letter in which the Comptroller had said that most bank failrisulted from overloans to director had been made without knowledge of the board of directors. He told of having refused to make the Heinze loan for which later Morse gave his check to Heinze for \$126,00. He had learned of Morse's large overdrafts on October 16, 1907, only after the close of business on that day.

"I asked Morse for more collateral," he said. "We went together to his big

security box in the vault, but there was not enough collateral there and I asked Morse what more he could do. Morse replied that he had \$1,000,000 of other securities in Leville I asked Give me an order for in London. I said: 'Give me an order for them' Morse did so and we cabled the London bank to hold those to the order of the Bank of North America."

Q Did you ever speculate with the bank's money? A. Oh, never, never!

On cross-examination Curtis said that the commission account of the bank had been very inactive until he and Mr. Morse had agreed to undertake to increase the bank's business. It had rarely in mostly six mostly exceeded \$10,000. This is the account to which the losses on some of the Morse dummy loans were charged off. Mr. Stimson had Mr. Curtis charged off Mr. Stimson had Mr. Curtis go over the bank's books and trace the course of his account from 1901 to 1907. Curtis had taken the presidency of the bank in March, 1905, and he and Morse had soon thereafter undertaken to get more busness for the benk. The commission account was read in semi-annual balances. The figures showed a total

Mr. Cutis went on, in answer to the District attorney's questioning, to mit that it was the bank's money was peidout in interest on the Morse dummy bans, the Whiting and Davison Brown leans and others which Morse

to charge off this loss to the bank as a REGISTRY BOOK MUTILATED "standoff" to the profits that he'd turned

Curtis spoke of Morse as a benefactor of the bank. He said that there had never been another director who had been a benefactor.

Q. If you had had a benefactor one yea would you consider it proper to pay out of the bank's money his losses another year?

It was then that the witness tied him It was then that the witness tied himself up over the Havemeyer Ice incident already referred to. He was unable to explain whyDirector Havemeyer should have spoken of selling out the bank's holding of Ice stocks if the stocks belonged not to the bank but to Morse. He also said that when Barney spoke of being a benefactor of the bank at a time of need (when the \$200,000 Knickerbocker Trust loan was made) Barney had required a written guarantee from Morse that Morse would stand behind the loan. He acknowledged paying out the bank's money on obligations for which the bank was not liable when he paid the interest on these loans. tions for which the bank was not liable when he paid the interest on these loans for Morse. He acknowledged specifically also that the bank was not only losing the interest it paid on the Knickerbocker loan but also the use of the \$200,000 it had sent up to the Knickerbocker in connection with the negotiation of that loan, which was the one made on a cashier's check in the name of the assistant cashier Wire. Yet the witness did not think that the bank had any interest in the stocks Littlefiels, gave indications of Morse's the bank had any interest in the stocks intentior to hold Curtis up to all the esponsibility possible.

Curtis in his direct testimony told of a

Daughters of the Confederacy Decide on

New Sentiments for Wirz Monument. SAVANNAH. Oct. 28.-The Georgia division of the United Daughters of the Confederacy have decided not to announce to the world in enduring bronze condition of the bank. He testified also and stone that the United States Govto being greatly worried at other times ernment murdered Capt. Henry Wirz,

A year ago when the inscription for On the other hand Curtis got into a the monument at Andersonville prison, sorry mixup in his cross-examination by which is soon to be erected in Capt. Wirz's District Attorney Stimson when he endeafored to explain how it was that regarding the dummy Whiting loan as Mose's loan and the collateral as Morse's projecty and the \$200,000 loan made through Wire, Barney and the Knickerbocker Trust Company as Morse's loans he still felt justified in paying out the bank's money for interest on those loans.

In memory of Capt. Henry Wirz, C. S. A. born Zurich, Switzerland, 1822. Sentenced to death and executed at Washington, D. C. November 15, 1865. To rescue his name from the stigma attached to it by embittered prejudice this shaft is erected by the Georgia Division United Daughters of the Confederacy .

Discharging his duty with such humanity as the harsh circumstances of the times and the policy of the foe permitted, Capt. Wirz became at last the victim of a misdirected popular clamor. He was arrested in time of peace while under the protection of a parole, tried by a military commission of a service to which he did not belong and condemned to ignominious death on charges of excessive cruelty to Federal prisoners He indignantly spurned a pardon proffered on condition that he would incriminate President Davis and thus exonerate himself from charges of which both were in-

"It is hard on our men held in Southern prisons not to exchange them, but it is humanity to those left in the ranks to fight our battles. At this particular time to release all rebel prisoners North would insure Sherman's defeat and would compromise our safety here.
"ULYSSES S. GRANT.

"August 18, 1864." When time shall have softened passion and prejudice, when reason shall have stripped the mask from misrepresentation, then Justice, holding evenly her scales, will require much of past censure and praise

change places. JEFFERSON DAVIS.
"December, 1888." The monument will be unveiled in

PROVING WHITMORE'S ALIBI. Lawyer Simpson Makes Good Progress for the Defence.

Lawyer Alexander Simpson, counsel for Theodore S. Whitmore, who is on trial in Jersey City for the murder of his wife, Lena, told the jury in his opening speech yesterday afternoon that he would prove the defendant was not in Harrison at the time the woman met her death in the Lamp Black Swamp. He made considerable progress in his work of establishing an alibi before the court adjourned at the close of the third day's session.

Peter Coogan, the watchman at the Marine Engine Works in Harrison, testified that the black mustached man he saw walking with a woman dressed in red t First street and Railroad avenue late on Christmas night in 1907 was not Whitmore. The pair disappeared in the direction of the swamp, he said, and the man returned alone carrying a bundle under his arm. Gold Tooth Billy Bartlett was directed by Lawyer Simpson to stand, and Coogan said that the woman's escort was about Bartlett's size.

The sensation of the day was provided by Theodore Volz of Newark, who found Mrs. Whitmore's red skirt in the Passaic River about 800 or 900 feet from the Centre street bridge, toward which the man whom Coogan saw disappeared with his bundle. Volz said that as he was on a trolley car in Newark at 4 c'clock on the morning of December 26, the day Mrs. Whitmore's body was found, a man with a small black mustache boarded the car at Market and Broad street, and handed the conductor a five dollar bill. He pulled out som more money and a garnet ring when the conductor couldn't make change. Volz identified Gold Tooth Billy as the man

THREW HERSELF UNDER TRAIN. Woman Crushed to Death at a Brooklyn

Elevated Railroad Station. A woman threw herself in front of Bay Ridge elevated train at the Fortieth street station, Brooklyn, at 6 o'clock last night. Christopher Olsen of 5304 Fourth Wednesday. avenue, the motorman, tried to stop the train, but two cars passed over the body. Traffic was stopped for three-quarters of

an hour.

The body was taken to the Fourth avenue police station and later to the morgue. The woman was about 30 years old. She was 5 feet 2 inches tall, of dark complexion and with dark hair. She was dressed in a black skirt and jacket and a blue flannel waist. She had a wedding ring on her finger and wore cheap earrings. In her pocketbook was a five cent piece and a card bearing the name Adam Linhauer, barber and hairdresser, 915 Metropolitan avenue, Brooklyn. The police sent to Linhauer to go to the morgue to identify the body. to identify the body.

FINN ON ELECTION CRIMES. Magistrate Will Only Issue Warrants on Positive Evidence.

Magistrate Finn came out flatfooted in the West Side police court yesterday and declared that he would demand convincing evidence before issuing warrantes.

Q. In he case of losses did you think that these came under Morse's oral guarantee, thatyou could legally collect from him on that ral guarantee? A. No.

Q. Then why didn't you ask him for one?
A. Because as he had given the bank is been shown, and the Magistrates are liable to civil actions for warrants issued by them where insufficient cause for the arrest could be proved. convincing evidence before issuing war-

IN THE DISTRICT OF THE COP WHO REGISTERED TWICE.

The "Ms," "Fs" and "Ps" Missing-Madigan Held in \$5,000 Ball-"Fool Thing to Do." Says Supt. Leary-"I Was a Little Full." Says Madigan

Thomas P. Madigan, the policeman of the Mercer street station who was jailed on Tuesday night charged with registering twice, was held in \$5,000 bail by Magistrate Butts in Jefferson Market court yesterday for examination at 9 o'clock to-morrow. According to Superintendent of Elections Leary he is the first New York policeman ever arrested as a repeater.

When Mr. Leary got Madigan up to his office on Tuesday night he asked him a lot of questions, the substance of which was, "How on earth did you, a patrolman in uniform, come to do such a fool thing as to sign your name in two polling places within a few blocks of each other and expect to get away with it?"

"I was a little full," Madigan replied. Yesterday while the Election Superintendent's six detectives and two from the Mercer street station were trying to find out what else if anything was back of Madigan's bungling achievement in came Police Sergeant Kelly with the news Office Building Will Replace the National that when he inspected the registry book of the district where Madigan really lives at 8 o'clock yesterday morning he had found that three pages of it had been

one of the missing pages bears the signatures of all voters in that district whose surnames begin with "M" and the other two have the "Fs" and the "Ps." Whoever undertook the job of mutilating the State's book chose the one in which Madigan's signature properly appeared, which led pt. Leary to observe:

Supt. Leary to observe:

"If any person thought he could save somebody trouble by ripping pages out of a book, what puzzles me is that that person didn't select the undertaking shop

of a book, what puzzies me is that that person didn't select the undertaking shop at 234 Spring street as the scene of the job. That's the place where Madigan registered illegally in a district where he doesn't live.

The polling place of the Sixth Election district of the Fifth Assembly district, where the book was mutilated, is the window shade and hardware store of Samuel Aronson. Mr. Aronson says he window shade and hardware store of Samuel Aronson. Mr. Aronson says he can't figure out when or by whom the tearing was done. The book is a "public copy," which anybody may inspect. The store was closed for the night at 10 o'clock on Tuesday. The caretaker who opened it again and swept at 7 o'clock yesterday morning found the locks all right and nothing out of place. At 8 o'clock Mr. Aronson came in and presently the sharp eyed Sergt. Kelly.

Men of the Election Superintendent's office will now investigate the records

Men of the Election Superintendent's office will now investigate the records of every man registered at 302 Bleecker street whose names begin with "M" or "F" or "P." They are curious to know why the "Fs" and the "Ps" were carried off as well as the "Ms."

When Madigan registered at the Spring street undertaking shop in the Twelfth Election district of the First Assembly district and they asked him where he lived he said "128 Varick street, one flight up." Mrs. Estelle O'Brien keeps lodgers at 128 Varick street. For eight or nine weeks until Tuesday, October 20, she told Supt. Leary, she had a lodger named Thomas P. Madigan who told her he was a truck driver who "worked around the Mercer street station."

"Ever see a policeman's uniform or bedse in his round."

Mercer street station."

"Ever see a policeman's uniform or badge in his room?" Mr. Leary inquired. She said "No."

Up to the police station where Madigan is in a cell went Mrs. the policeman is in a cell went Mrs. O'Brien with Mr. Leary, and when Madigan was brought out for her inspection she said, "Lord, no! That's not the same man at all. This truckman was a little fellow."

man at all. This trucking the low."

Madigan has been a policeman since 1896. He has lived for some time at 312 Bleecker street with his wife and child, and voted from there last year. In the last two years, it was said at the Mercer street station yesterday, eight charges have been made against him. All were for minor disobedience of police rules.

CARS FOR LOWER FULTON ST.

B. R. T. Provides Service for Heights Besidents and Plymouth Churchgoers.

The controversy between the people of Plymouth Church and of the Heights section in general and the Brooklyn Rapid Transit Company over the lack of adequate traffic facilities on lower Fulton street has been settled amicably. General Manager Calderwood announced yester-day that plans had been made for a shuttle vice to be operated between the ferry and the Borough Hall in the non-rush hours and that in providing ample accom-modations for the residents of the Heights no attempt would be made to econo In reference to the Sunday traffic Mr. Calderwood said:

"It is noted in connection with service operated in lower Fulton street during Church hours on Sunday morning that operation toward Fulton street is exactly the same as it has been for more than a year past. To prevent passengers being carried over the bridge deck and to Park row inspectors will be stationed at the turnouts at Tillary street on both Fulton and Washington street sides, whose duty it will be to see that announcement is made by conductors which will inform passengers that they should disembark there if destined to churches in the Heights section. To care for home-going travel cars of Fulton, Greene and Gates, Putnam and Flatbush lines will be routed through Fulton street at the time the Church services end.

BAIL OFFERED FOR POUREN. Decision Reserved - Ball Unusual in Extradition Cases.

Counsel for both sides in the case of Jan Janoff Pouren, the Russian refugee, have agreed to accept the testimony taken before United States Commissioner Shields at the first hearing and also the testimony of Andrew Lastinsch for the defence, taken after that hearing was reopened by direction of Secretary of State Root. The new hearing before United States Commissioner Hitchcock will open in the Federal Building next

In the meantime Commissioner Hitchock has reserved decision on a motion made vesterday afternoon by Pouren's counsel asking that the accused be admitted to bail. Briefs on this point will be submitted to-morrow. It is unusual to admit to bail in an extradition case. Coudert Bros., counsel for the Russian Consulate in this city, will have forty days for rebuttal after the defence finishes taking testimony.

ACCUSED POLICEMAN LET OFF. No Evidence of Extortion Against Pendergast of the Tenderloin.

Policeman Joseph Pendergast of the Tenderloin station was cleared yesterday of the charge of demanding and accepting money from George H. Bristol, who ran a moving picture show at 381 Fulton street, Jamaica. Bristol complained that Pendergast, who was formerly attached to the Jamaica preday of the charge of demanding and ac-

and March, threatening to shut his show if he didn't give up.

The policeman was put on trial at Police Headquarters yesterday before Third Deputy Commissioner Hanson. Bristol, the first witness called, said that while Pendergast looked like the policeman who shook him down he wasn't positive Deputy Commissioner Hanson stopped the trial and announced that he would dismiss the charge.

These navy ordes were issued:

Ensign G. C. Pegram, from command of the Barney to command the Wilkes.

Midshipman V. V. Woodward, from the Barney to Command the Wilkes.

Assistant Surgeon C. B. Munger, from the Maine to the United States Naval Hospital, Portsmouth, N. H.

Paymaster E. F. Heil, from the Philaderphia and continue duty at navy yard, Puget Sound, Washington.

Assistant Paymaster R. H. Johnston, from the Philaderphia, at navy yard, Puget Sound, Washington.

THINKS BRY AN GETS NEBRASKA. TEST ON SEMI-MONTHLY PAY Republican Lawyer of Omaha Criticises

NEW YORK CENTRAL WILL WASHINGTON, Oct. 28 .- John Lee Web-BRING AN ACTION AT ONCE. ster, a lawyer of Omaha and a Republican candidate for the Republican

Vice-Presidential nomination in 1904, Monday is the Bay When the Penalty of is in Washington on business. Discuss-#30 a Man Is Incurred, Unless Court Intervenes - State Latior Commis-"Although I have been informed from sioner Says He Will Enforce It reliable sources in Chicago that Nebraska

The New York Central intends to bring is safe for Taft, I have equally strong assurances from other sources that an action to test the constitutionality Bryan will carry Nebraska without any of the semi-monthly payment law, which Bryan will carry Nebraska without any trouble. I fully believe he will carry Omaha, anyway, and if he carries the State the chances are he will carry the whole State ticket, in which case the Congressional delegation may undergo considerable change.

"The President should keep out of active politics. He ought to be the President for all the people, irrespective of political parties. Surely there could have been found some one who could have written those campaign letters. provides that the railroads of this State must pay their employees on the first and the fifteenth of the month for the fifteen days preceding, under a penalty of \$50 for each infraction. The law becomes applicable next Monday. The form of action to be brought was not stated last night. It may take one of many forms, the specific action menhave been found some one who could have written those campaign letters. It was not dignified for the President to do so. And by what right does he believe himself exempt from the law which prevents other Government employees from actively participating in politics?

"I believe Mr. Taft will be elected." tioned as a probability being a suit to restrain the State Commissioner of Labor from bringing any action to enforce the penalty.

The attitude of the other roads toward the law is one of hesitancy. They are all apparently waiting to see how the New York Central's suit comes out. The suit is said to be an entirely friendly action, the only object of which is to determine the constitutionality of the law. When the constitutionality of the Governor's signature last winter representatives of all the railroads affected reminded the Governor that it had been vetoed by his

predecessor on the ground that it was unconstitutional. nue, opposite Madison Square Garden, The employees of the roads, it was said following the example of the Everett House on Union Square, is to give place to a twelve story office building, for which plans were filed with Building Superintendent Murphy yesterday by William C. Hazlett, as architect for the Putnam Holding Company, of which Varick D. Martin is president.

The Putnam House was one of the famous hostelries of war days and was the present system the men are paid on. According to an officer of the D., L. and W., the men don't want to be paid twice a month, and the companies have received no demand and no request from the men to be paid in that manner. The present method of payment could be altered to some extent with advantage, it was said last night, are taking no hand in the litigation. According to an officer of the D., L. and W., the men don't want to be paid twice a month, and the companies have received no demand and no request from the men to be paid in that manner. The present method of payment could be altered to some extent with advantage, it was said last night, are taking no hand in the litigation. According to an officer of the D., L. and W., the men don't want to be paid twice a month, and the companies have received no demand and no request from the men to be paid twice a month, and the companies have received no demand and no request from the men to be paid twice a month, and the companies have received no demand and no request from the men to be paid twice a month, and the companies have received no demand and no request from the men to be paid twice a month, and the companies have received no demand and no request from the men to be paid twice a month, and the companies have received no demand and no request from the men to be paid twice a month, and the companies have received no demand and no request from the men to be paid twice a month, and the companies have received no demand and no request from the men to be paid twice a month, and the companies have received no demand and no with advantage, it was admitted. Under the present system the men are paid on the fifteenth or eighteenth of each month for the work of the month preceding, and it has been suggested to the operating departments of the railroads that if the date of payment were moved up a week or ten days the present law would be sat-isfied in effect and at the same time re-lieve the roads of the expense and bother of sending their pay cars around twice famous hostelries of war days and was run for years by Larry Kerr, one of the stalwarts of the Hoboken Turtle Club. It is related that the hotel made popular what afterward became nationally known as "coffee and sinkers."

The original hotel stood on the Twentyaixth street corner. Two decades ago it was enlarged by a new seven story addition at 371 and 373 Fourth avenue. The corner plot is owned by the Roosevelt estate and the building thereon was rebuilt and became the present Hotel of sending their pay cars around twice as often. This suggested plan of "split-ting the difference" has been received with favor by both the railroads and the em-

was rebuilt and became the present Hotel Preston.

The new building will have a façade of brick and granite with terra cotta trimmings and will be of the modern Renaissance design, the front presenting tiers of large bays set between pilasters extending from the ground to the top story and supporting an arched cornice with small arched openings. The building is to cost \$380,000. ployees, it is said.
The additional expenses which the new The additional expenses which the new system of wage payment, as contemplated by the law, would entail on the railroads is by no means negligible. An officer of the D., L. and W., which employs 5,000 men in this State, estimates that it would cost \$20,000 more, principally in the auditing department, while for the New York Central, which employs 50,000 in this State, it would probably be three times as great.

as great.

John Williams, State Commissioner of Labor, heard yesterday that the law was to be tested and gave out a statement

J. G. Phelps-Stokes, who is the Socialist I will enforce to the full extent candidate for the Assembly in the Eighth penalty provided for violation of this law which, to my mind, is an entirely proper and fair arrangement for the the Eldridge street station wearing a payment of railroad employees. Section shield numbered 6849 broke up a Socialist meeting at Ludlow and Grant streets a few nights ago and incidentally indulged in some promiscuous clubbing and rough employee does not receive his pay by next Monday. No railroad corporation will be house tactics.

Mr. Stokes said the policeman was overheard to remark that he was going to "put the meeting on the bum," and then and there started in to make good. When Mr. Stokes remonstrated he said 6849 used threatening and abusive language and continued clubbing and shoving people until the meeting was broken up. Commissioner Bingham, who is investigating, said Policeman John McKeon has shield 6849. Charges will be preferred against the cop within a few days. permitted to violate a law with the en-forcement of which this department is charged without paying the full penalty Under this condition it is apt to prove a very costly thing to any railroad company to fail to pay its employees before Monday. "I don't know Mr. Williams's object in

"I don't know Mr. Williams's object in bringing this matter up just before election like this." said one railroad man last night, "but I can say that it is neither the intention nor the desire of the railroads to violate or ignore the law in any way. If the law is constitutional we shall obey it: if it is not we want to find it out before it puts us out of pocket." POINT FOR MRS. HOWARD GOULD The Selises to Be Examined To-day Before MY MONEY, SAYS MRS. LEVEE. Elijah Sells and his daughter, Margaret Counsel Wrangle in Hawley Suit Until

Court Threatens to Step Trial. of the suit for separation brought by Mrs. Charles Levee, who eloped with the young French aeronaut last April, much to the disgus: of her brothers, The examination had been set for vesterday afternoon before Edward G. Whittaker as referee. Cornelius J. Sullivan, representing Howard Gould, appeared with a motion to vacate the examination order. Clarence J. Shearn, Mrs. Gould's William and Alan Hawley, was on the witness stand all day yesterday at the continuation of the trial before Justice Erlanger of the suit brought against her by order. Clarence J. Shearn, Mrs. fould's attorney and the Independence League candidate for Governor, was on hand to oppose the motion. Mr. Shearn declared that the ground of the motion was a mere legal technicality as to service, and Justice Truax, taking the sane view, denied the motion. the Hawley brothers to recover \$34,000 which they say she borrowed and which she says they either owed her or gave her

voluntarily.

Mrs. Levee testified that when her brothers went into the brokerage business in 1889 the capital was very small and that she had an interest in it from the beginning. She drew her share of the profits, she said, and invested this in real estate

she said, and invested this in real estate which she now owns.

On her return here from her honeymoon trip to Paris she found that her brothers had attached her property, so she went to the family residence at 22 East Seventy-sixth street, which she owns, and interviewed her brothers. They upbraided her for marrying Levee and told her they didn't care to have anything more to do with her. When she protested, she said, they threatened her with the loss of all she owned, and finally came forward with a flat demand that street because he said he wanted to think them over, balked again yesterday when Assistant District Attorney Murphy put a few new ones to him. For Mr. Johnson's guidance Mr. Murphy gave him a list of questions he wanted answered. It seems that Mr. Murphy overlooked a few questions and Mr. Johnson asked time to consider the new ones. He said he would return to-day. came forward with a flat demand that she should turn over everything to them on their agreement to allow her \$2,500 a year and a farm at New Canaan, Conn. Mrs. Levee's cross-examination by James W. Osborne developed wrangling between counsel until Justice Erlanger threatened to stop the trial.

Marie Ruby, who runs a barber shop in 125th street, has begun an action in Woman Scared to Death by Burklar. TRENTON, N. J., Oct. 28 .- A burglar the Supreme Court for a divorce from William H. Ruby, an expert accountant. They fell in love ten years ago when she shaved him. made an attempt yesterday to break into the home of Miss Mary Deegan, a woman well advanced in years who was believed to be wealthy. Miss Deegan heard the burglar sawing through a wooden shutter and screamed. The burglar escaped, Miss Deegan became unconscious from fright and died this WASHINGTON, Oct. 28.-The gunboat Eagle has arrived at Norfolk and the

morning. Court Calendars This Day.

and the tug Tecumseh from Washington for Norfolk. Washington, Oct. 28.—These army orders Washington, Oct. 28.—These army orders were issued to-day:

First Lieut. Guy B. G. Hanna, Coast Artillery Corps, from Ninety-ninth Company and placed on the unassigned list.

The following transfers of officers of the Fifth Cavalry are ordered: Capt. August C. Nissen, from Troop H to Troop F. Capt. Chalmers G. Hall, from Troop F to Troop H. Capt. Nissen will join the troop to which he is transferred at Fort Yellowstone, Wyoming. Capt. Hall will assume command temporarily of Troop H and Fort Duchesne. Utah.

Second Lieut. Marshall G. Randol, from Third Field Artillery to First Field Artillery and is assigned to Battery. D of that regiment, vice Second Lieut. Frederick W. Stewart. who is transferred from the First Field Artillery to the Third Field Artillery and assigned to Battery.

Capt. William M. Connell. Fifth Cavalry, now unassigned, is assigned to Troop G of that regiment, vice Capt. William M. Connell. Fifth Cavalry, now unassigned, is assigned to Troop G of that regiment, vice Capt. Williard A. Holbrook, Fifth Cavalry, hereby relieved from assignment to that troop. XII., XIII., XV., XVI., XVII. and XVIII.

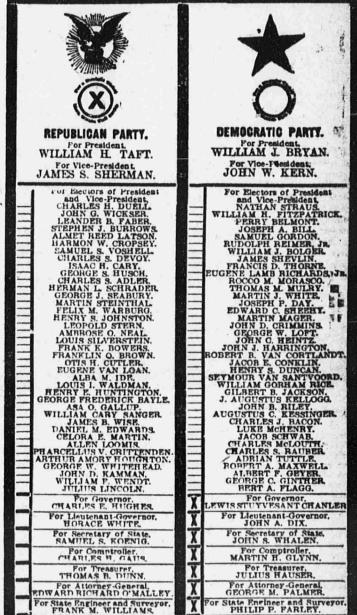
Surrogates' Court—Chambers.—For probate, wills of Charles H. Green, Carl Farber, John Shear, Martin Crane, Charles Weisbecker, Eliza Fitzgerald, Mina Schellhammer, Alfred Lucas, George W. Browne, Della H. Gassier, at 10:30 A. M. Trial Term.—No. 2515, will of Mary Murphy; No. 2402, will of James S. Inglis; No. 2409, will of James S. Inglis; No. 2409, will of James S. Inglis; No. 2409, will of James S. City Court—Special Term.—Court Ingtis, at 10:20 A. M.
City Court—Special Term.—Court opens at 10 A. M. Motions. Trial Term.—Part I.—No day calendar. Part II.—No day calendar. Part III.—No day calendar. Part VII.—No day calendar. Part VII.—No day calendar. Part VII.—No day calendar. Part VII.—No day calendar. Part VIII.—No day calendar. Par



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## TO VOTE FOR TAFT & CHANLER MARK BALLOT AS INDICATED BELOW



FACSIMILE BALLOTS MARKED AS ABOVE CAN BE SECURED AT TAFT AND CHANLER BUSINESS MEN'S LEAGUE. 47 WEST 125TH STREET.

FOR NEW P. R. R. STATION. | SUE J. J. ASTOR IN STOCK DEAL Baltimore to Have the Third Biggest Building on Company's lines.

BALTIMORE, Oct. 28.-The Pennsylthe plans before the Union Depot Commission to-day.

All the ground plans have been com-

The floor space will be 30,000 square feet, of which the main waiting room will occupy 8,160 square feet. An idea of the size of the waiting room may be gained from comparison with the area of the main waiting room of the Broad Street Station in Philadelphia, which is 10,000 square feet, or the St. Louis station, which is 2000.

9,000.

The commission was pleased over the prospects suggested by the plans, but it simply accepted them for consideration without abandoning its project for a union station, which has been suggested to care for the Baltimore & Ohio and Western Maryland railroads as well.

SUDDEN WITH A THIEF.

Caught Riffing a Letter at & A. M. Pleads Guilty at 3:30 P. M. Joseph T. Hand, a post office clerk in Station B. Grand and Attorney streets, was arrested by Post Office Inspectors was arrested by Post Office Inspectors
Jacobs and James at 5 o'clock yesterday
morning, indicted by the Federal Grand
Jury at 1:15 o'clock in the afternoon and
arraigned at \$:30 o'clock before Judge
Chatfield in the criminal branch of the
United States Circuit Court, where he
pleaded guilty and was remanded for
sentence to-day.

The charge against Hand is signi-

The charge against Hand is rifling letters. He opened a test letter containing \$7 in cash and 25 cents in postage stamps and the money was found on him.

Municipal Building Plans Filed. McKim, Mead & White, architects for the city, filed with Building Superintendent Murphy yesterday the plans for the new mammoth Municipal Building to be erected at the Manhattan end of the old Brooklyn Bridge and which is to be a twenty-four story edifice, occupy-ing a plot the ground plan of which repre-sents the half section of a giant hexagon of land just north of the bridge approaches. The building has been described before in the newspapers. In addition to the intricate construction drawings there is a series devoted to the comprehensive plumbing equipment devised by William C. Tucker as sanitary engineer for the city. The building is to cost \$8,000,000.

Alleged That He Didn't Pay Telephone. Telegraph and Cable Co. Assess

TRENTON, Oct. 28.—The declaration vania Railroad has offered to build in Bal- in the suit brought by Charles M. Myers timore the third largest passenger station and Edward M. Colie, as receivers of the in its system. Gamble Latrobe, acting Telephone, Telegraph and Cable Comgeneral agent of the railroad here, laid pany of America, against John Jacob Astor was filed in the Supreme Court to-day.

When Mr. Astor was served recently pleted and call for a building to be lo- with a summons in these proceedings it cated somewhere between Maryland and was set forth that the suit was to recover cated somewhere between Maryland and Guilford avenues. It will be 100 feet wide \$200,000, but annexed to the declaration is a notice to Mr. Astor that judgment will be claimed for only \$110,000 with interest from December 31, 1900, and costs. According to the declaration, Mr. Astor on November 29, 1899, entered into a subscription agreement for the purchase of 22,000 shares of the stock of the company, then having a par value of \$50 a share. It is alleged that the subscription for 10,000 shares was made by Mr. Astor personally, 10,000 shares by \$50 a share. It is alleged that the subscription for 10,000 shares was made by Mr. Astor personally, 10,000 shares by George F. Hawkins. The directors describe both Mr. Wood and Mr. Hawkins as "dummies," acting as agents for Mr. Astor Mr. Astor from time to time paid assessments on the stock amounting to \$10 a share, but failed to pay an assessment of \$5 levied by the directors which became due on December 31, 1900. It is to recover the \$5 on each of the 22,000 shares that the suit was brought. Subsequent to the levying of the assessment the authorized capital stock of the telephone company was reduced from \$30,000,000 to \$9,000,000 by reducing the par value of the stock from \$50 to \$15 a share. The receivers allege that the holders of 125,000 shares have paid up the entire \$15 a share, but that Mr. Astor and his "dummy" agents have refused to do so. do so.

> F. CHAUVENET'S Red Cap SPARKLING BURGUNDY OF FRANCE.